

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0350

OVERMYER et al. v. STATE et al.

Appellate Case Information

Case Filed: 28-May-2015
Case Closed:

Dept/Composition

Department E

Hon. Kent E Cattani
Hon. Lawrence F Winthrop

Consolidated with: 1 CA-CV 15-0349

Side 1. CHUCK OVERMYER and NINA BILL OVERMYER, both as individuals and as representatives of a class consisting of all of the residents of Yarnell, Glen Ilah, Peeples Valley, and the surrounding geographical area who suffered damages as a result of the Yarnell Hill Fire, Plaintiff/Appellant

(Litigant Group) CHUCK OVERMYER et al.

- Chuck Overmyer
- Nina Bill Overmyer

Attorneys for: Plaintiffs/Appellants

Craig A Knapp, Esq. (AZ Bar No. 13580)
Michael C Sheedy, Esq. (AZ Bar No. 11978)
David L Abney, Esq. (AZ Bar No. 9001)

Side 2. STATE OF ARIZONA, a public entity; and the ARIZONA STATE FORESTRY DIVISION, a public entity, Defendant/Appellee

(Litigant Group) STATE OF ARIZONA et al.

- State of Arizona
- Arizona State Forestry Division

Co-Counsel for: Defendants/Appellees

Brock J Heathcotte, Esq. (AZ Bar No. 14466)
Michael L Parrish, Esq. (AZ Bar No. 15956)
Daniel P Schaack, Esq. (AZ Bar No. 10715)
Brandon R Nagy, Esq. (AZ Bar No. 30993)

CASE STATUS

Sep 23, 2016....Under Advisement

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2014-009071	Class Action Complaint		J Richard Gama, Authoring Judge of Order		

PENDING MATTER

General Motion

Filed: 19-Sep-2016

Motion to Strike Part of Plaintiffs/Appellants' Supplemental Citation of Legal Authority (Appellee)

31 PROCEEDING ENTRIES

- 28-May-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/29/15; Plaintiffs' First Amended Notice of Appeal from Maricopa County Superior Court filed 5/4/15
- 28-May-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
- 2-Jun-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 12-Jun-2015 FILED: Request for Oral Argument; Certificate of Service for Request for Oral Argument (Appellant)
- 17-Jun-2015 RECEIPT No.: 2015-00838 ; \$280.00, Authorization: #67011291618, Applied to: CHUCK OVERMYER et al. - Class A Filing Fee (\$280.00) Paid for: Knapp & Roberts PC - By Integrated Resource Systems IN
- 22-Jun-2015 FILED: Appellee's Notice re: No Appellee's Fee Due/Appellant's Brief Due
- 22-Jun-2015 FILED: Case Management Statement (Appellant)
- 6-Jul-2015 FILED: Joint Motion to Consolidate the Acri and Overmyer Appeals; Certificate of Service for Joint Motion to Consolidate the Acri and Overmyer Appeals (Appellant)

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31 PROCEEDING ENTRIES

9.	28-Jul-2015	ORDERED: granting motion and consolidating case 1 CA-CV 15-0349 w/ 1 CA-CV 15-0350. Case No. CA-CV 15-0349 is designated primary number and above caption shall be used on all future documents. Melina Brill ProTem Judge - Author
10.	3-Aug-2015	FILED: Opening Brief of Plaintiffs-Appellants; Certificate of Compliance for Opening Brief of Plaintiffs-Appellants; Certificate of Service for Opening Brief of Plaintiffs-Appellants
11.	3-Sep-2015	FILED: Stipulation to Extend Deadline to File Answering Brief; Certificate of Service (Appellee)
12.	8-Sep-2015	ORDERED: Stipulation to Extend Deadline to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 09-21-2015 to Wednesday, 10-21-2015. Melina Brill ProTem Judge - Author
13.	16-Sep-2015	FILED: Letter, 9/16/15, COA to Stinson Leonard Street LLP re: Refund of duplicate [sic] (exempt) filing fee
14.	21-Oct-2015	FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellees State of AZ/AZ State Forestry)
15.	22-Oct-2015	FILED: Notice of Association of Assistant Attorney General; Certificate of Service (Appellee)
16.	10-Nov-2015	FILED: Plaintiffs/Appellants' Motion to Extend the Time for Filing a Reply Brief; Certificate of Service for Plaintiffs/Appellants' Motion to Extend the Time for Filing a Reply Brief (Appellant)
17.	13-Nov-2015	ORDERED: Plaintiffs/Appellants' Motion to Extend the Time for Filing a Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-16-2015 to Monday, 12-07-2015. Melina Brill ProTem Judge - Author
18.	7-Dec-2015	FILED: Reply Brief of Plaintiffs-Appellants; Certificate of Compliance for Reply Brief of Plaintiffs-Appellants; Certificate of Service for Reply Brief of Plaintiffs-Appellants
19.	29-Dec-2015	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20.	8-Jan-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
21.	12-Jan-2016	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
22.	7-Jul-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 9-21-16, 11:00 am, COURTROOM 2.
23.	10-Aug-2016	FILED: Notice of Oral Argument
24.	10-Aug-2016	FILED: Notice of Filing Return Receipt for Notice of Oral Argument, Signed by David L Abney on 08/10/2016; Certificate of Service for Notice of Filing Return Receipt for Notice of Oral Argument (Appellant)
25.	11-Aug-2016	FILED: Receipt for Notice of Oral Argument, Signed by Brock J Heathcotte (Appellees)
26.	25-Aug-2016	ORDERED: granting the request (to audiotape oral argument), subject to restrictions as outlined in order. If any party objects to all or part of this order, that party shall file a motion to reconsider prior to 09/14/2016. Hon Kent E Cattani Judge - Author
27.	29-Aug-2016	FILED: Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
28.	19-Sep-2016	FILED: Motion to Strike Part of Plaintiffs/Appellants' Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
29.	23-Sep-2016	FILED: Sign-in Sheet/Case is Under Advisement as of 09/21/2016 (Dept E)
30.	22-Nov-2016	FILED: Plaintiffs/Appellants' Second Set of Supplemental Citations of Legal Authority; Certificate of Service for Plaintiffs/Appellants' Second Set of Supplemental Citations of Legal Authority (Appellants)
31.	13-Dec-2016	FILED: Second Supplemental Citation of Legal Authority; Certificate of Service (Appellee)